

Serial No. 10/817,521

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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Serial No. 10/817,521 Group Art Unit : 3753
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Title Valve Apparatus

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DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

SIR:

The owner, Siemens VDO Automotive Corporation, of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,889,669 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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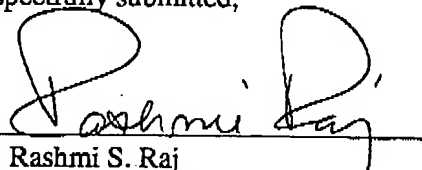
said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

The undersigned is an attorney of record.

Respectfully submitted,

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